

## REMARKS

Claims 1-16, 39-40, and 42-99 are pending in the present application. No claims have been amended, added or cancelled. Applicants believe that the present application is in condition for allowance, which prompt and favorable action is respectfully requested.

### I. REJECTION UNDER 35 U.S.C. §102

Claims 1-11, 15, 16, 39, 40, 42, 43, 48-58, 62-69, 71-73, 78-88, 90-92, and 97-99 are rejected under 35 U.S.C. §102(e) as being allegedly anticipated by Myles et al. U.S. Patent No. 6,879,579 (hereinafter “Myles”). The rejection is respectfully traversed.

MPEP 2111 states that “The broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach. *In re Cortright*, 165 F.3d 1353, 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999).”

The Office Action States that Myles discloses “receiving at least one broadcast message including information regarding configuration of at least two contention-based random access channels for a frame” as Claim 1 recites. Applicants disagree. Myles describes “an indication of the number of stations seeking to register” (Claim 8). Applicants submit that an indication of the number of mobile stations seeking to register is not the same thing as “information regarding configuration of at least two contention-based random access channels for a frame” as Claim 1 recites. Myles is describing information about mobile stations and does not mention anything about information regarding configuration of random access channels. Applicants submit that interpreting “information regarding configuration of at least two contention-based random access channels” as “an indication of the number of stations seeking to register” is not consistent with the interpretation that those skilled in the art would reach.

Myles does not teach or disclose all of the limitations of Claim 1 and the identical invention is not contained in the disclosure. Thus, for at least this reason Claim 1 is patentable. Claims 15, 39, and 40 contain similar limitations as to Claim 1, and for at least the same reasons as stated for Claim 1, Claims 15, 39, and 40 are patentable.

Claims 2-11, 16, 42-43, 48-58, 62-69, 71-73, 78-88, 90-92 and 97-99 depend from independent claims, and are patentable for at least the same reasons as stated with respect to the independent claims and other novel features contained therein.

Therefore, for at least the foregoing reasons, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. §102.

## **II. REJECTION UNDER 35 U.S.C. §103**

**A.** Claims 14, 44-47, 59-61, 74-77, and 93-96 are rejected under 35 U.S.C. §103(a) as being unpatentable over Myles. The rejection is respectfully traversed.

As stated above with respect to Claim 1, Myles does not teach or disclose all of the limitations of Claim 1 and the identical invention is not contained in the disclosure. Thus, for at least this reason Claim 1 is patentable. Claims 15, 39, and 40 contain similar limitations as to Claim 1, and for at least the same reasons as stated for Claim 1, Claims 15, 39, and 40 are patentable.

Claims 14, 44-47, 59-61, 74-77 and 93-96 depend from independent claims, and are patentable for at least the same reasons as stated with respect to the independent claims and other novel features contained therein.

Therefore, for at least the foregoing reasons, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. §103.

**B.** Claims 12, 70, and 89 are rejected under 35 U.S.C. §103(a) as being unpatentable over Myles in view of U.S. Patent Publication No. 2004/0047292 (hereinafter “du Crest”). The rejection is respectfully traversed.

As stated above with respect to Claim 1, Myles does not teach or disclose all of the limitations of Claim 1 and the identical invention is not contained in the disclosure.

In addition, du Crest does not teach or disclose all of the limitations of Claim 1 and the identical invention is not contained in the disclosure.

Neither Myles nor du Crest independently or combined teach or disclose all of the limitations of Claim 1. Therefore, Claim 1 is patentable.

Claims 39 and 40 contain similar limitations as to Claim 1, and for at least the same reasons as stated for Claim 1, claims 39 and 40 are patentable.

Claims 14, 44-47, 59-61, 74-77 and 93-96 depend from independent claims, and are patentable for at least the same reasons as stated with respect to the independent claims and other novel features contained therein.

Therefore, for at least the foregoing reasons, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. §103.

**C.** Claim 13 is rejected under 35 U.S.C. §103(a) as being unpatentable over Myles in view of U.S. Patent Publication No. 2002/0122393 (hereinafter “Caldwell”). The rejection is respectfully traversed.

As stated above with respect to Claim 1, Myles does not teach or disclose all of the limitations of Claim 1 and the identical invention is not contained in the disclosure.

In addition, Caldwell does not teach or disclose all of the limitations of Claim 1 and the identical invention is not contained in the disclosure.

Neither Myles nor Caldwell independently or combined teach or disclose all of the limitations of Claim 1. Therefore, Claim 1 is patentable.

Claim 13 depends from independent Claim 1, and is patentable for at least the same reasons as stated with respect to Claim 1 and other novel features contained therein.

Therefore, for at least the foregoing reasons, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. §103.

**REQUEST FOR ALLOWANCE**

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: 10/31/2007

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